REMARKS

The claims are 1-15. Claim 1 has been amended to define a preferred embodiment of the present invention. Claims 16-31 have been cancelled. In particular claims 18-31 were cancelled in view of a restriction requirement without prejudice or disclaimer. Consideration of the presently amended claims is respectfully requested.

Claim 1 has been amended to recite that the biological material is irradiated with microwaves at normal pressure. Support for this change may be found, for example, at paragraphs 44 and 45 of the present application. Therefore this change is not new matter.

Claims 1-5, 10, 12, 14, 16 and 17 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by CA2161127. This reference corresponds to EP 0698076 which is discussed in paragraphs 3 and 4 of the present application. In particular, it is noted at page 5 of CA2161127 that during microwave irradiation of the biological material that the pressure of the microwave enclosure is reduced. However, as noted in paragraph 4 of the present application, this is a significant drawback because the apparatus needed to conduct the process of CA2161127 is comparatively more costly because of the pressure reduction requirement.

Claim 1 of the present invention has been amended to require that microwave irradiation take place at normal pressure. Clearly CA2161127 does not anticipate the claimed method of the present invention since each and every limitation is not disclosed.

Moreover, it is respectfully submitted that CA2161127 does not render obvious the presently claimed method. There is simply no suggestion to perform the microwave irradiation at normal pressure.

Claim 6 stands rejected as allegedly obvious under 35 U.S.C. 103 over CA2161127 in view of Chen. Claims 7-9 and 13 were rejected as allegedly obvious over

CA2161127 in view of U.S. Patent No. 3,578,567 (Malvin). It is respectfully submitted that neither Chen or Malvin remedy the deficiencies of CA2161127.

Chen is directed to microwave assisted extraction to assist in solid phase microextraction analysis of fruits and vegetables for pesticides. It appears that the samples were preferably placed in a 10% ethylene glycol solution prior to microwave extraction. The pesticides were then collected on polydimethysiloxane coated fibers for gas chromatographic analysis. Thus, it is not seen how Chen, either alone or combined with CA2161127, would suggest the present solventless extraction method for collecting a condensed natural substance.

Malvin is directed to a method of separating individual solvent components from a mixture. There is no suggestion or disclosure of using microwave irradiation. Thus, there is no suggestion, either alone or combined with CA2161127, of the presently claimed invention.

Claims 11 and 15 were rejected as allegedly obvious solely over CA2161127. However, as discussed above, it is respectfully submitted that CA2161127 would not have suggested irradiating the biological material while maintaining the pressure in the microwave chamber at normal pressure.

Wherefore, it is respectfully submitted that the cited art, whether taken alone or together, does not suggest or disclose the presently claimed invention. Accordingly, it is respectfully requested that the claims be allowed and the case passed to issue.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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